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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 3578 OF 2007

Office Notes, Office Memoranda of : coram, appearances, Court's Orders: or directions and Registrar Orders:	Court's or Judge's orders

Mr.Vishwajeet Patil i/b Mr.Mohansing Nimbalkar and Mr.Sachin Zalte for the applicant.

Mr.Rajesh More, A.P.P. for the State.

CORAM : D.G. KARNIK, J.

DATE : 20TH NOVEMBER 2007

P.C. :

1. Heard learned counsel for the applicant and the learned A.P.P. for the State.

2. The applicant is arrested in connection with an offence under sections 364 and 384 read with 34 of I.P.C. The prosecution case is that the applicant along with his accomplices was driving a Scorpio car. He along wih his accomplices stopped the truck on the road and kidnapped the labourers, who were sitting in the truck, and also made theft of the truck. The applicant and others were caught within a couple of hours at a short

distance. Investigation in the crime is in progress.

3. The applicants had made an application for bail before the Sessions Court. By an order dated 22nd October 2007, the learned Sessions Judge rejected the application. Before the Sessions Court, it was argued on behalf of the applicant that the truck brushed against the Scorpio car and damaged the car and therefore the applicant stopped the truck. This shows the presence of the applicant at the scene of offence.

4. Since the investigation is in progress, it would not be appropriate at this stage to grant bail to the applicant. There is prima facie material to connect the applicant with the crime. In the circumstances, the application for bail is rejected.

(D.G. KARNIK, J.)